

### **REMARKS**

In response to the Office Action mailed April 27, 2009, Applicant respectfully requests reconsideration. To further the prosecution of this application, each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 1-53 were previously pending in this application. No claims are amended, added or cancelled. As a result, claims 1-53 remain pending for examination, with claims 1, 4, 13, 16, 25 and 27 being independent.

#### **Claim Rejections Under 35 U.S.C. §103**

Each of independent claim 1, 4, 13, 16, 25 and 27 is rejected under 35 U.S.C. §103(a) as purportedly being obvious over U.S. Patent No. 7,100,195 to Underwood in view of a paper entitled "The Clinical Context Object Work Group: Its Standards and Methods" ("the CCOW paper"), dated February 16, 1998. Applicant respectfully traverses this rejection, as each of independent claims 1, 4, 13, 16, 25 and 27 patentably distinguishes over any combination of the asserted references.

#### **A. Brief Overview Of Embodiments Of The Invention**

Embodiments of the invention relate generally to performing context management in a networked computing environment (see Applicant's specification at, e.g., p.5, lines 6-7). In some settings, multiple software applications may access data relating to common entities, or "subjects" (p. 1, lines 9-10). For example, in the healthcare field, multiple applications may be used to access data relating to a particular patient (p. 1, lines 10-12). A user in a doctor's office, as an example, may use one application to access clinical data (e.g., x-ray images or blood work results) on a patient and another to access financial data (e.g., insurance coverage or billing history) on the patient (p. 1, lines 12-14).

Data describing a given subject (in the example above, a patient) that is accessed by multiple applications is referred to in Applicant's specification as a "context" defined by the subject (p. 1, lines

22–23). Although patient data is an illustrative example, other data may define a subject as well, such as data relating to a clinical encounter, provider, observation, insurer, user (e.g., to enable “single sign-on” capabilities for the multiple applications) and/or other data (p. 1, lines 15–19). In addition, shared subjects may be used in fields other than healthcare (p. 1, lines 15–21).

Before the advent of context management systems, a user employing multiple applications to access data on a particular subject was required to repeat the entry of information describing the subject to each application (p. 1, lines 14–15). However, in a system in which a context management system is employed and multiple applications share a context defined by a subject, when a user switches the context by changing the data for the subject (e.g., by switching from one patient to another within one of the applications), all of the applications may switch to display the new data for the subject (e.g., by retrieving and displaying the new patient’s data) (p. 3, line 25 – p. 4, line 26).

Some embodiments of the invention relate to performing context management in a networked environment, and more specifically to system environments which include one or more emulated applications (i.e., an application which executes on a remote server and is emulated, such as via the Citrix MetaFrame and ICA architecture on a client device) (p. 13, lines 8–10). In this respect, Applicant has recognized that when applications that may share a context include a remote application and a desktop application, it may be desirable to verify that the remote application and the desktop application are associated with the same client (i.e., that the remote application is emulated on the client on which the desktop application executes), to prevent a “rogue” application executing remotely from the desktop from intruding into the context (p. 25, lines 15–20). Thus, some embodiments of the invention provide a method for verifying that a remote application is emulated on the same client on which at least one desktop application executes, so that it may share a context with the desktop application(s) (p. 25, lines 20–22). In some embodiments, first information (e.g., a first identifier, such as a MAC address and/or other identifier) is received from the client, second information (e.g., a second identifier, such as a MAC address and/or other identifier) is received from the remote application server that identifies the client on which the remote application is emulated, and the information (e.g., the first and second identifiers) is compared to determine whether the remote application is emulated on the client on which the desktop application(s) execute(s) (p. 25, lines 22–25).

Other embodiments may be employed in system configurations in which a client emulates multiple applications executing remotely on different remote servers, to verify that the remote applications are emulated on the same client and may share a context (p. 29, lines 9–12). In some embodiments, first information (e.g., a first identifier) identifying the client on which a first remote application is emulated is received from a first remote application server, second information (e.g., a second identifier) identifying the client on which a second remote application is emulated is received from a second remote application server, and the information is examined to determine whether the first and second remote applications are emulated on the same client and may share a context (p. 29, lines 13–16).

The foregoing overview is provided to assist the Examiner in appreciating some aspects of the invention. However, this overview may not apply to each independent claim, and the language of each independent claim may differ in material respects from the overview above. Thus, Applicant respectfully requests that careful consideration be given to the language of each independent claim, and that each be addressed on its own merits, without relying on the overview provided above. In this respect, Applicant does not rely on the overview above to distinguish any of the claims over the prior art, but rather relies only upon the language of the claims and the arguments presented below.

**B. Rejection of Independent Claims 1, 13 and 25**

Each of independent claims 1, 13 and 25 includes limitations directed to verifying that at least one remote application is emulated on a first client which executes at least one client application, and may belong to a context with the at least one client application. The context is defined by subject data for at least one subject useable by the at least one client application and the at least one remote application. The subject data comprises, for the at least one subject, a data item having a set of values comprising at least a first value corresponding to the at least one client application and at least a second value corresponding to the at least one remote application, the set of values identifying the at least one subject in the context.

The Office Action contends that Underwood satisfies all of the limitations recited by each of

claims 1, 13 and 25 except for “the emulation capabilities of Applicant’s claims.” The Office Action contends that the CCOW paper satisfies these remaining limitations. The Office Action further contends that one skilled in the art would have had reason to modify Underwood according to the teachings of the CCOW paper “to allow multiple users in a distributed system to access data records without having changes accidentally erased by the distributed users.” Applicant respectfully points out that not only do these contentions find no support in either of the references, but the manner in which the references are applied and the reasons the Office Action alleges one would have had for modifying Underwood according to the CCOW paper evidence a fundamental misapprehension of the subject matter of the claims.

1. The Basis For The Rejection Is Entirely Unclear

On pp. 2-3, the Office Action repeats the language of claim 1, and on p. 4, the Office Action then cites a number of passages of Underwood that purportedly satisfy certain limitations of claim 1. However, the Office Action does not even attempt to show how any cited passage is believed to satisfy any particular claim limitation, such that it is entirely unclear what disclosure in Underwood is relied upon to satisfy which claim limitations. 37 C.F.R. §1.104(c)(2) explicitly states that the Office Action must explain how each claim limitation is believed to be satisfied by the asserted reference. 37 C.F.R. §1.104(c)(2) (“When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable.”). Applicant respectfully submits that the Office Action fails to meet this requirement, as it is entirely unclear how any cited passage of Underwood is believed to satisfy any limitation of claims 1, 13 or 25.

In addition, the cited passages of Underwood, which appear to relate to database synchronization procedures for use in an e-commerce system, simply have nothing to do with the subject matter of claims 1, 13 or 25. The Office Action states that Underwood discloses using HTML over the World Wide Web (i.e., at col. 15, lines 50-56), employing locking procedures to prevent accidental changing of data in a multi-user environment (col. 28, lines 6-23), using a web server to deploy applications over a network (col. 116, lines 54-60) and sharing information

between web pages across programs to manage “context” on a server (col. 121, lines 39-54). None of these passages have anything to do with the subject matter of claims 1, 13 and 25, as none of these claims recite anything at all to do with websites or procedures to prevent accidental changes to data in a multi-user environment. If the rejection is to be maintained, the Examiner is asked to explain which features of Underwood are believed to correspond to each claim limitation.

2. Each Of Claims 1, 13 and 25 Patentably Distinguishes Over Any Combination Of The Asserted References

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Each of claims 1, 13 and 25 recites limitations that are clearly not satisfied by either reference.

- i. *None Of The Asserted References Say Anything At All About Determining That The At Least One Remote Application Is Emulated On A First Client And May Belong To A Context With At Least One Client Application Executing On The First Client When First Information Received From The First Client Matches Second Information That Is Received From A Remote Application Server And That Uniquely Identifies An Aspect Of A Remote Client On Which At Least One Remote Application Is Emulated*

Neither Underwood nor the CCOW paper says anything at all about receiving from a first client first information that uniquely identifies an aspect of the first client, receiving from a remote application server second information that uniquely identifies an aspect of a remote client on which at least one remote application is emulated, and determining that the at least one remote application is emulated on the first client and may belong to a context with at least one client application executing on the first client when the first information matches the second information. While the Office Action asserts that Underwood satisfies these limitations (since the Office Action contends that Underwood satisfies all of the limitations of claims 1, 13 and 25 except for “the emulation capabilities of Applicant’s claims”), the Office Action does not point to any passage of Underwood that is believed to satisfy these limitations. Underwood simply says nothing at all relating to determining that first information received from a first client matches second information received from a remote application server, let alone determining that at least one remote application is

emulated on the first client and may belong to a context with at least one client application executing on the first client when the first information matches the second information. The CCOW paper fails to remedy this deficiency of Underwood, as it also fails to say anything at all about determining that first information received from a first client matches second information received from a remote application server. Thus, each of claims 1, 13 and 25 patentably distinguishes over any combination of Underwood and the CCOW paper.

ii. *None Of The Asserted References Say Anything At All About A Remote Application Emulated On A First Client Executing An Emulation Application*

In addition, none of the asserted references say anything at all about a remote application emulated on a first client executing an emulation application, as recited by each of claims 1, 13 and 25. On p. 4, the Office Action contends that Fig. 2 of the CCOW paper (shown on p. 8) depicts a client “able to remotely emulate an application running on a server,” and points to Fig. 2’s depiction of lines between applications and a (purportedly) remote server as support. This contention simply lacks any support in the reference. Nowhere does the CCOW paper, whether in Fig. 2, the corresponding description or elsewhere, say anything at all about a remote application being emulated on a first client.

On p. 5, the Office Action also contends that a passage in the “Background Of Invention” section of Applicant’s specification, which states that the CCOW standard supported context sharing among applications executed on a remote server and emulated on a client, supports a conclusion that the subject matter of claim 1, 13 and 25 would have been obvious. This contention is belied by the cited passage itself. Specifically, while the cited passage states that the CCOW standard supported context sharing among applications executing on a remote server and emulated on a client, it also states that CCOW provided no information on how the communication that enables such context sharing is to be performed. Nothing in the CCOW paper even recognized a need (as the Applicant did) for determining that at least one remote application is emulated on the same client as the one on which at least one client application executes, and may share a context with the at least one client application. As such, the CCOW paper can not render obvious making

such a determination by matching first information received from the client with second information that is received from a remote application server and that uniquely identifies an aspect of a remote client on which at least one remote application is emulated.

3. Conclusion

In view of the foregoing, each of claims 1, 13 and 25 patentably distinguishes over any combination of the asserted references, such that the rejection of these claims, and of the claims that depend respectively therefrom, under 35 U.S.C. §103(a) as purportedly being obvious over Underwood in view of the CCOW paper should be withdrawn.

C. Rejection of Claims 4, 16 and 27

Each of independent claims 4, 16 and 27 includes limitations directed to verifying that first and second remote applications are emulated on a same client, and may belong to a same context. It should be appreciated from the discussion above relating to each of claims 1, 13 and 25 that neither Underwood nor the CCOW paper say anything at all relating to verifying that first and second remote applications are emulated on a same client and may belong to a same context.

Accordingly, each of claims 4, 16 and 27 patentably distinguishes over any combination of the asserted references, such that the rejection of these claims, and of the claims that depend therefrom, under 35 U.S.C. §103(a) as purportedly being obvious over Underwood in view of the CCOW paper should be withdrawn.

D. Dependent Claims

Because each of independent claims 1, 4, 13, 16, 25 and 27 is believed to patentably distinguish over the prior art of record, Applicant has not separately argued the patentability of any dependent claim, solely to expedite prosecution and to focus on issues central to the allowability of all claims. Applicant does not, however, concede agreement with the manner in which the Office

Action interprets any dependent claim, or that the additional limitations recited by any dependent claim are satisfied by the prior art of record. Applicant reserves the right to separately argue the patentability of any dependent claim in the future, despite seeing no reason to do so at this time.





**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below to discuss any outstanding issues relating to the allowability of the application.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. S1389.70015US00.

Dated: 7/27/09

Respectfully submitted,

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